

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 2, 4, 16, 17, 19, 46, and 53 through 60 are pending, with Claims 1, 16, 46, 53, and 57 being independent. Claims 10 through 15, 25 through 30, 48, and 61 have been cancelled without prejudice. Claims 1, 16, 46, 53, and 57 have been amended.

Claims 1, 2, 4, 10 through 17, 19, 25 through 30, 46, 48, and 53 through 61 were variously rejected under 35 U.S.C. § 103 over European Patent Document 0 975 145 A2 (Yamamoto, et al.) and U.S. Patent Nos. 6,370,147 B1 (Beser) and 6,674,535 B1 (Kim). All rejections are respectfully traversed.

Claims 1, 16, and 46 variously recite, inter alia, generating transfer information, including information that indicates each of the plurality of devices is a predetermined device type which passively executes data communication with an external device in accordance with an instruction from the external device which can actively start data communication (in combination with, in a case where a first device represented by the selected transfer information is the predetermined device type, actively starting data communication with the first device, and, in a case where a second device represented by the selected transfer information is the predetermined device type, actively starting data communication with the second device), with Claim 1 specifying that the data is image data.

Claims 53 and 57 variously recite, inter alia, generating transfer information, including information that indicates each of the plurality of devices is a predetermined device type which actively starts data communication with an external device (in combination with, in a

case where a first device represented by the selected transfer information is the predetermined device type, passively executing data communication with the first device in accordance with an instruction from the first device, to receive image data from the first device, and, in a case where a second device represented by the selected transfer information is the predetermined device type, passively executing data communication with the second device in accordance with an instruction from the second device, to transmit the received image data to the second device).

However, Applicant respectfully submits that none of Yamamoto, et al., Beser, and Kim, even in the proposed combinations, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed combinations of claimed features as recited, inter alia, in Claims 1, 16, and 46.

In more detail, the Official Action states at page 6 that Yamamoto, et al. fails to show the active-passive features, and therefore relies upon Beser at col. 27. Applicant respectfully submits that at, e.g., col. 26, line 56 through col. 27, line 8 of Beser, that document discloses, e.g., (a) a “passive network device” such as a printer, facsimile machine, etc., (b) “active” network device CM 16, and (c) network device CMTS 12. However, Applicants respectfully submit that in Beser, “active” are devices that have a DHCP 66 protocol stack, which allows a network device to obtain an IP 54 address with DHCP 66 messaging from a DHCP server 160, whereas “passive” refers to devices without a DHCP 66 protocol stack, wherein a passive device does not have a DHCP 66 protocol stack that can be used to obtain an IP 54 address. Applicants respectfully submit that neither the foregoing nor the remainder of Beser provides either a description or a suggestion of at least the above-discussed combinations of claimed features.

It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such features. By means of the features of Claims 1, 16, and 46, Applicant respectfully submits that, e.g., since the reception and transmission work actively in accordance with the transfer information, data communication between two passive devices can be carried out as claimed. By means of the features of Claims 53 and 57, Applicant respectfully submits that, e.g., since the reception and transmission work passively in accordance with the transfer information, data communication between two active devices can be carried out as claimed.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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